



Maricopa County

News Release

Environmental Services Department

1001N. Central Avenue
Suite 550
Phoenix, AZ 85004
Phone: 602-506-6611
Fax: 602-506-1874
www.maricopa.gov/envsvc

For additional information: Johnny Diloné, Public Information Officer
Phone: (602) 506-6611

January, 2005

MARICOPA COUNTY ENVIRONMENTAL SERVICES DEPARTMENT ENFORCEMENT PROCEEDINGS FOR JANUARY 2005

(Phoenix)-- The Environmental Services Department initiated legal action against the following facilities/establishments or individuals in January 2005 for violations of the Environmental Health Code and the Maricopa County Air Pollution Control Regulations:

| NAME | REASON |
|--|--|
| Marie Callender's #108 4573 E. Cactus Rd. Phoenix, AZ 85032 | <u>Permit Revocation</u> - Permit revocation letter was issued due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none">Improper date marking of food productsInadequate concentration of chemical sanitizer. Note: This establishment qualified to sign a stipulation agreement. |
| Long Wong's #9 5270 N. 59 th Avenue. Glendale, AZ 85301 | <u>Permit Revocation</u> - Permit revocation letter was issued due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none">Improper food temperaturesImproper employee practices Note: This establishment qualified to sign a stipulation agreement. |
| China Olive 3434 E. Thomas Rd. Phoenix, AZ 85018 | <u>Permit Revocation</u> - Permit revocation was issued due to serious and/or repetitive violations of the Maricopa County Environmental Health Code. Examples of violations: <ul style="list-style-type: none">Improper food temperaturesInsect control problems Note: This establishment qualified to sign a stipulation agreement. |

-more-

| | |
|--|--|
| Na Zdrowie 2051 W. Warner Rd. Chandler, AZ 85224 | <u>Permit Suspension</u> – Permit to operate was suspended due to sewage problems. Suspension was vacated after violations were corrected. |
| Kyoto Bowl 1111 S. Rural Rd. Tempe, AZ 85281 | <u>Permit Suspension</u> – Permit to operate was suspended due to sewage problems. Suspension was vacated after violations were corrected. |
| Gloria Pedraza Benitez | <u>Citation</u> - A Citation was issued for selling food without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for February 17, 2005. |
| Gabriela Mora Garcia | <u>Citation</u> - A Citation was issued for selling food without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for February 9, 2005. |
| Martin Munoz-Valenzuela | <u>Citations</u> - Two Citations were issued for selling food without a permit from Maricopa County Environmental Services Department and for selling food from unapproved sources. Arraignment was scheduled for February 16, 2005. |
| Jose Luis Sanchez-Esquivel | <u>Citation</u> - A Citation was issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for February 2, 2005. Defendant failed to appear and a warrant was issued. |
| Rigoberto Cabrera Garcia | <u>Citations</u> - Two Citations were issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department and for selling food from unapproved sources. Arraignment was scheduled for February 17, 2005. |
| Alejandro Flores Gonzalez | <u>Citation</u> - A Citation was issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for February 23, 2005. |
| Minerva Perez | <u>Citations</u> - Two Citations were issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department and for selling food from unapproved sources. Arraignment was scheduled for February 15, 2005. |
| Moricio Hernandez Cruz | <u>Citations</u> - Two Citations were issued for selling food without a permit from Maricopa County Environmental Services Department and for selling food from unapproved sources. Arraignment was scheduled for February 22, 2005. |
| Isabel Dominguez Leyva | <u>Citation</u> - A Citation was issued for operating a mobile food establishment without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for February 23, 2005. |

| | |
|--|---|
| Dionicio Flores Jacobo | <u>Citation</u> - A Citation was issued for selling food without a permit from Maricopa County Environmental Services Department. Arraignment was scheduled for March 2, 2005. |
| Terranova Academy 1118 W. Glendale Avenue Phoenix, AZ 85021 | <u>Cease and Desist Order</u> – A Cease and Desist Order was issued for conducting a food service operation without qualifying for the required permit from Maricopa County Environmental services Department. |
| Val Vista Trailer Ranch, Cave Creek Town Homes, WS Builders, & DLH On-Site 18250 N. Game Creek Rd. Phoenix, AZ 85015 | <u>Order of Abatement by Consent</u> – Asbestos Violation Penalty \$6,800. |
| Victoria Lund Investment Group LLC 1850 N. Central Ave. #620 Phoenix, AZ 85004 | <u>Order of Abatement by Consent</u> – Asbestos Violation Penalty \$12,800. |
| Sun State Rock & Materials P.O. Box 1340 Sun City, AZ 85373 | <u>Order of Abatement by Consent</u> – Fugitive Dust Emission. Penalty \$2,550. |
| Sun State Rock & Materials P.O. Box 1340 Sun City, AZ 85373 | <u>Order of Abatement by Consent</u> – Fugitive Dust Emission. Penalty \$4,460. |
| M E Global 5857 S. Kyrene Rd. Tempe, AZ 85283 | <u>Order of Abatement by Consent</u> – Solvent Cleaner Penalty \$3,250. |
| R D B Construction 1617 W. Williams Dr. Phoenix, AZ 85027 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$1,800. |
| Alletag Builders 100 W. Maryland Phoenix, AZ 85013 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$800. |
| Desert West Development 11259 E. Via Linda #100-937 Scottsdale, AZ 85254 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$600 |
| R J Springer 7119 E. Shea 109 PMP 237 Scottsdale, AZ 85254 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$9,999. |

| | |
|--|---|
| Nicholas Homes 7010 E. Cochise Dr. Scottsdale, AZ 85253 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$9,349. |
| D P R Construction 3020 E. Camelback Rd. #100 Phoenix, AZ 85016 | <u>Settlement Agreement</u> – No Dust Permit; Fugitive Dust Emission Penalty \$4,300. |
| Pinnacle Peak Custom Homes P.O. Box 71787 Phoenix, AZ 85050 | <u>Settlement Agreement</u> – No Dust Permit Penalty \$200. |
| Morrison Homes 4800 N. Scottsdale Rd. 2300 Scottsdale, AZ 85251, | <u>Settlement Agreement</u> – No Dust Permit Penalty \$1,200. |
| Ashbrook Kingdom Hall 1230 E. Myrtle Ave. Phoenix, AZ 85020 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$1,500. |
| Sierra Montana 2432 W. Peoria Ave. Bld.8-114 Phoenix, AZ 85029 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$6,000. |
| Davis & Sons Builders P O Box 654 Litchfield Park, AZ 85340 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$150. |
| Low Mountain Construction 4020 N. 20th St. 100 Phoenix, AZ 85016 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$5,625. |
| C S W Mgmt. / G C B H Construction 7720 N. 16th St. 310 Phoenix, AZ 85020 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$3,750. |
| Sonora West Development 7250 N. 16th St. 104 Phoenix, AZ 85020 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$1,750. |
| Stellar 3617 W. Cambridge Ave. A Phoenix, AZ 85009 | <u>Settlement Agreement</u> – No Dust Permit Penalty \$150. |
| Walentin Homes 2501W. Wickenburg Way 240 Wickenburg, AZ 85390 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$167. |

| | |
|--|---|
| Town & Country Homes 515 E. Carefree Hwy PMB 367 Phoenix, AZ 85085 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$334. |
| Tuscanee Town Homes 1800 W. Colter St. Phoenix, AZ 85015 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$167. |
| Silverado Homes 6428 E. Gold Dust Ave. Scottsdale, AZ 85253 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$200. |
| Scott Homes Development 2151 E. Broadway Rd. 210 Tempe, AZ 85282 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$2,900. |
| Desert Bay Builders 10135 E. Via Linda Scottsdale, AZ 85258 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$1,800. |
| Taylor Woodrow 6720 N. Scottsdale Rd. 390 Scottsdale, AZ 85253 | <u>Settlement Agreement</u> – No Dust Permit; Fugitive Dust Emission. Penalty \$7,620. |
| A J F Custom Homes P O Box 27705 Scottsdale, AZ 85255 | <u>Settlement Agreement</u> – No Dust Permit; Fugitive Dust Emission Penalty \$5,000. |
| Cachet Capital 15475 N. Greenway-Hayden Loop B20 Scottsdale, AZ 85260 | <u>Settlement Agreement</u> – No Dust Permit Penalty \$450. |
| Vistancia 9051 W. Kelton Ln. 4 Peoria, AZ 85382 | <u>Settlement Agreement</u> – Fugitive Dust Emission. Penalty \$2,210. |
| Gamma Construction 4490 E. Virginia Ave. Glendale, CO 80246 | <u>Settlement Agreement</u> – No Dust Permit. Penalty \$900. |

The Environmental Services Department uses one of the following methods of legal action to enforce the Environmental Health Code and the Maricopa County Air Pollution Control Regulations:

- **A Permit Revocation** may be initiated against a facility/establishment that has not demonstrated compliance or has been found in violation of any applicable code or rule. Permit revocation may also be initiated against trailer parks, hotels, semi-public swimming pools, and retail food establishments.

•**A Permit Suspension** may occur immediately for serious environmental health code violations, which pose a major health hazard, or for air quality violations. The facility/establishment would not be permitted to operate.

•**Citations** are issued for violations of the health code or air pollution control regulations. The citation directs the defendant to appear for arraignment in Justice Court.

•**Cease and Desist Orders** are issued for serious violations of the environmental health code. The violation must be corrected immediately and a hearing may be requested. Disregarding the order will result in injunctive action in Maricopa County Superior Court.

•**Order of Abatement** is issued to individuals or corporations for violations of the Maricopa County air pollution control regulations.

•**Settlement Agreement** means the violation was resolved by the County Attorney's Office.

